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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/656,292

09/08/2003

Der-Jang Sun

SUND3007/EM

8682

23364

7590

11/10/2004

BACON & THOMAS, PLLC
625 SLATERS LANE
FOURTH FLOOR
ALEXANDRIA, VA 22314

EXAMINER

PAPE, ZACHARY

ART UNIT

PAPER NUMBER

2835

DATE MAILED: 11/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/656,292

Applicant(s)

SUN ET AL.

Examiner

Zachary M. Pape

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 9-8-2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 9-8-2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The present invention".

2. 35 U.S.C. 112, first paragraph, requires the specification to be written in "full, clear, concise, and exact terms." The specification is replete with terms which are not clear, concise and exact. The specification should be revised carefully in order to comply with 35 U.S.C. 112, first paragraph. Examples of some unclear, inexact or verbose terms used in the specification are: "do more care" (Pg 1, Line 16), "desk" (Pg, 1, Line 25), "needs" (Pg 2, Line 9), "put the hard disk module" (Pg 2, Line 25). The specification also contains the following unclear sentence, "It has become one of the indexes to measure the level of the information product manufacturing technology of a country by means of evaluating the convenience and efficiency of the services of notebook computers the country supplied" (Pg 1, Lines 17-20).

Additionally the specification contains words or letter which are missing, such examples include "desktop" (Pg 1, Line 25), "a" (Pg 2, Line 10 – between "of" and "hard disk"), "is" (Pg 3, Line 3 – between "or" and "struck"), and "the" (Pg 3, Line 6 – between "in" and "information"). These are merely examples of the types of errors found. Applicant is required to review the entire disclosure and correct any such errors.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 2, 3, 7 and 8 rejected under 35 U.S.C. 102(e) as being anticipated by Tucker et al. (Patent # 6,625,014). Tucker et al. teaches the use of a hard disk module mounting structure (100) for fastening to a receiving chamber (500) of a computer connecting to the mainframe shell (400). The receiving chamber (500) contains an I/O port connector (530) connecting to the subsequent I/O port connector of the hard disk module. With respect to the shell being that of a notebook computer, it is noted that Tucker et al. states in Column 6, Lines 12-14 that chassis 400 may be a chassis of any computer device.

Tucker et al. further discloses the use of two brackets (104, 108) fixedly fastened to two opposite lateral sidewalls of the hard disk (300), a mounting bar (142) pivotally connected between the brackets, and at least one lug (130) fixedly extended from one side of the mounting bar for fastening to the receiving chamber (500).

With respect to claim 2, Tucker et al. further discloses the use of mounting holes (110, 320) located on one or both brackets of the mounting structure for fastening the disk drive to the mounting structure.

With respect to claim 3, Tucker et al. further discloses that a lug (130) have a mounting hole (134, 136) fastened by a fastening means (526, 516) to a respective hole (Occupied by members 516, and 526) inside the receiving chamber (500).

With respect to claim 7, Tucker et al. further discloses that the mounting bar (142) has a handle (148) opposite to the hard disk.

With respect to claim 8, Tucker et al. further discloses two stop members (116) located bilaterally inside the receiving chamber (500). (See: Column 8, Lines 19-26).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4-6 rejected under 35 U.S.C. 103(a) as being unpatentable over Tucker et al. in view of Jiang et al. (Publication # 2002/0051338). With respect to claims 4 and 5, Tucker et al. teaches the use of a hard disk module mounting structure as described in the above rejection to claim 1.

Tucker fails to disclose a cover engaged in a recessed portion of the mounting structure comprising a spongy means to be pressed on the hard disk module. Jiang et

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al. teaches the use of a cover (101) comprising a spongy means (absorption foam 423, 424) to be pressed against the drive (102). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the teachings of Jiang et al. with the teachings of Tucker et al. to reduce the noise of the drive, and to provide dampening for any vibration the drive may experience during use.

With respect to claim 6, Jiang et al. teaches the use of an absorption foam applied to the inner surface of the cover but fails to specifically teach that the foam is a sponge. It would have been obvious to one of ordinary skill in the art at the time the invention was made to replace the absorption foam of Jiang et al. with a sponge. Absorption foam and a sponge have similar dampening qualities and thus it would be a design preference of the inventor to choose either the absorption foam or the sponge as the primary material to provide dampening.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zachary M. Pape whose telephone number is 571-272-2201. The examiner can normally be reached Mon. - Thur. & every other Fri. (8:00am - 5:00pm).


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Feild can be reached at 571-272-2092. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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LYNN FEILD
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2000